

FOURTH DAY

(Monday, January 14, 1963)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word

Absent—Excused

Hardeman

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 10, 1963, was dispensed with and the Journal was approved.

Leave of Absence

Senator Hardeman was granted leave of absence for today on account of important business on motion of Senator Hazlewood.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
January 14, 1963,

Hon. Martin Dies, President Pro tem. of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 1, In memory of C. Read Granberry.

H. C. R. No. 2, Inviting the Hon-John Connally, Governor of Texas, to address a Joint Session of the

House and Senate at 11:00 a.m. Wednesday, January 16, 1963.

H. C. R. No. 3, Relative to payment of inaugural expenses."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Concurrent Resolution 6

Senator Spears offered the following resolution:

S. C. R. No. 6, Extending congratulations to the George W. Brackenridge Senior High School Football Team, its Coaches and Managers, on winning the 1962 State Championship, Class AAAA.

Whereas, The George W. Brackenridge Senior High School of San Antonio, Texas, won the 1962 State Championship in football for Class AAAA of the University Interscholastic League; and

Whereas, The team was guided brilliantly by Head Coach Weldon Forren and his staff of Joe Mullins, Herman Humble and Rode Gonzales; and

Whereas, The following team members, which includes many individual stars, and their managers are:

Pete Bautista, Floyd Boone, Ray Cantu, Victor Castillo, Douglas Coffee, Edward Coleman, George Cook, Ricky Davila, Albert Davis, Charles Eanes, James Fanner, Robert Glenn, David Hardin, Arlon Henderson, William Hines, Charles Johnson, Herbert Lacy, Carlos Lavastida, Robert Lemons, Warren McVea, Richard Mays, Claudis Minor, Eddie Monroe, Louis Perez, Johnny Pesina, Ronald Richardson, Uel Simms, Jr., Alfred Valdez, Isidro Villalobos, Eddie Villarreal, Robert Wade, Ruben Whitney, Willie Wilson, Lupe Alcala, James Holliman and Clarence Watson many times sacrificed personal glory to work effectively as a team; and

Whereas, The principal of Brackenridge High School, E. O. Hakala, led the student body in enthusiastic support of the team; and

Whereas, Having lost three games early in the season and having been greatly outweighed and named "Underdogs" in all of their play-off games, the team continued to work together, showing great improvement, determination and esprit de corps culminating in their winning the

State Championship against great odds; and

Whereas, This successful effort caused many sportswriters to nickname the Brackenridge Eagles the "Cinderella Team"; and

Whereas, This team effort is an example for all Texans of high ideals and principles of sportsmanship and accomplishment in the University Interscholastic League; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that the Legislature extend its heartiest congratulations to the Brackenridge football team, its coaches and managers, and supporting student body and faculty for winning the State Championship and best wishes for successful seasons throughout the future; and be it further

Resolved, That official copies of this Resolution be forwarded to coaches, managers and members of the football team and the principal of George W. Brackenridge Senior High School.

The resolution was read.

On motion of Senator Spears and by unanimous consent the resolution was considered immediately and was adopted.

Presentation of Guests

Senator Creighton by unanimous consent presented Orville Share, Benny Saylor, Ed Pratt, Jack Pratt, and Floyd Davidson of Mineral Wells to the Members of the Senate.

Report of Committee to Study Bays and Inlets of State

Senator Krueger submitted the following report:

The Governor of the State of Texas
The President of the Senate of Texas
The Speaker of the House of Representatives of Texas
Members of the 58th Texas Legislature

Gentlemen: We, your committee appointed to make an interim study of the bays and inlets of Texas by Senate Concurrent Resolution No. 59, passed at the regular session of the 57th Legislature, have met pursuant to such resolution, gathered testimony in connection therewith, and beg leave to report as follows:

The magnitude of the problem and the limitation of time have made it necessary that during this interim

period the committee focus its attention primarily on Galveston Bay (including Trinity, West and East Bays). It was the consensus of the committee that this particular bay presented the most pressing problem, although study should likewise be given to the other bays and inlets along the Gulf Coast of Texas by a continuation of this committee or by a subsequent committee created by the next Legislature.

The committee makes the following general findings with reference to Galveston Bay:

1. The tremendous increase in population surrounding Galveston Bay, with the attendant industrial development, makes it imperative that an over-all program for the purpose of utilization of natural resources of the bay to the benefit of the citizens of this State be promulgated.

2. The establishment by the Federal Government of the headquarters of the National Aeronautics Space Administration on the shores of this bay gives impetus to urgent necessity for such an overall program.

3. That it is feasible under a well-developed plan and program to utilize the resources of Galveston Bay and to provide maximum benefit to the people of Texas in the following categories:

a. Recreation. The tremendous growth of population and the ever-diminishing recreation areas of the upper Gulf Coast area make it imperative that primary consideration be given to utilizing every available natural recreation area and fully developing it for such purpose. Galveston Bay is a great natural recreation area in the midst of and easily available to a large segment of the population of Texas. Its use for recreation, including sports fishing, pleasure boating, water skiing, etc., can be developed to greater extent, and such usage is compatible with its development for commercial purposes.

b. Mining and Production of Shell. Many industries, including the chemical industry, the cement industry, the construction industry and others, are dependent upon the removal of fossil oyster shell from the bay as raw material ingredients and by-products for industrial purposes. Galveston Bay affords a supply of this natural resource, which is vital to the industrial development of the Texas Gulf Coast. The shell industry is currently meeting this demand, but a plan and procedure for removal of shell is necessary if

this industry is to survive and continue to put this resource to beneficial industrial uses. Under a proper plan and procedure, this resource can be removed from the bed of Galveston Bay and transported over its waters in an orderly fashion compatible with other uses of Galveston Bay.

c. **Production and Transportation of Oil and Gas.** The economy of the upper Gulf Coast area is likewise dependent on the development of the oil and gas industry. Galveston Bay is rich in this resource, and its full development is feasible, practical, and compatible under a program based on logical development in an orderly fashion under reasonable rules, and is not inconsistent with other uses of the bay.

d. **Commercial Shrimping, Fishing and Oystering.** The development and encouragement of commercial shrimping is necessary to the proper utilization of Galveston Bay. Commercial and sports fishing provides employment and recreation for many citizens in that area. Galveston Bay likewise offers a potential for the development of the public and private reef oyster industry, affording employment to many citizens of Texas. Biological analysis of certain areas in the bay reflect that this industry can be developed on a larger scale than it has been in the past with a planned program compatible with other bay uses.

e. **Navigation.** Unimpaired navigation of Galveston Bay is essential to continued industrial development of the upper Texas Gulf Coast, and should be encouraged in order that the ports dependent on Galveston Bay can be developed to greater usefulness in an unhampered fashion.

4. The committee finds that all of the above uses can be made compatible with each of the others under a proper planned program.

5. The committee further finds that the increased urbanization and industrial development in and around Galveston Bay will make it necessary to give attention to pollution control of the bay, its inlets and tributaries, in order to conform to the declared policy of the State, as follows:

" . . . to maintain purity of the waters of the state consistent with the public health and public enjoyment thereof, the propagation and protection of fish . . . and aquatic life, the

operation of existing industries and the industrial development of the state. . . ."

6. The committee further finds that the next five years will witness a tremendous increase in the above described bay uses, and that it is imperative that a program be promulgated to the end that all of such uses can live together in harmony and develop to meet the demands of this tremendous metropolitan area.

Accordingly, the committee recommends the following:

1. That the Game and Fish Commission of the State of Texas, after a public hearing called for such purpose, adopt a plan, of definite time duration, for the orderly development of Galveston Bay, giving due regard to all of the uses such bay affords, and provide maximum utilization of all of the resources of the bay, including recreation and industrial development.

2. That the plan be thereupon presented to the following: State School Land Board, Railroad Commission, General Land Office, State Water Pollution Control Board, United States Corps of Engineers, with a request that such boards and agencies take cognizance of this planned program and with the request that any rules and regulations adopted for the use of Galveston Bay be adopted with a view toward the maximum enjoyment of the public and the problems of all of the users of Galveston Bay, to the end that the resources afforded thereby can be put to the most beneficial use possible for the citizens of the State of Texas.

3. It has come to the attention of the committee that the provisions of Article 4053 of the Revised Statutes of Texas pertaining to the issuance of permits by the Game and Fish Commission for the dredging of shell do not clearly define the authority of the Commission as to the issuance of such permits. It is therefore recommended to the Legislature that Article 4053 be amended in order that the scope of the authority of the Commission to issue permits for the dredging of shell and the protection of the oyster beds and fish inhabiting waters in connection with such dredging be clearly defined.

4. That this study committee be continued or another of like import be created at the next session of

the Legislature to study the other bays and inlets of this State.

Respectfully submitted,

ROBERT W. BAKER, State
Senator, Chairman

NEIL CALDWELL, State
Representative, Vice-Chairman

A. R. SCHWARTZ, State Senator

CULP KRUEGER, State Senator

DON GARRISON, State

Representative

JACK E. WALKER, Secretary

JOHN MEHOS

C. T. PARKER

W. B. EDWARDS

GEORGE T. CAMP

The report was read and was filed with the Secretary of the Senate.

Report of Study of Interim Committee
to Study of Bays and Inlets of
State Ordered Printed in
Journal

On motion of Senator Krueger and by unanimous consent the Report of the Interim Committee to Study Bays and Inlets of State was ordered printed in the Senate Journal.

Senate Resolutions Signed

The President Pro Tempore signed in the presence of the Senate after the captions had been read, the following enrolled resolutions:

S. C. R. No. 4, Designating March 4-8, 1963, as Public Schools Week.

S. C. R. No. 5, Providing for closing entrances to Capitol Grounds on day of Inauguration of the Governor and Lieutenant Governor.

Presentation of Guests

Senator Cole by unanimous consent presented former Senator Robert W. Baker of Houston to the Members of the Senate.

Senator Kazen by unanimous consent presented County Judge R. M. Benavides, County Commissioners Alberto Santos and Mario Manas, the President of the School Board, Mr. Harold Yeary, Members of School Board, Mr. Mervile Moore and Humberto Jaurez and Mr. Ray Laird, President of Laredo Junior College, to the Members of the Senate.

Senator Herring by unanimous consent presented Mrs. Amy Stubbsfield to the Members of the Senate.

Senator Parkhouse by unanimous consent presented Mr. David Hood, Mr. Hal Hood, County Fire Marshal Mr. S. T. Chandler Jr. and his lovely wife Mildred, to the Members of the Senate.

At Ease

The President Pro Tempore at 10:47 O'Clock a.m. announced the Senate would stand At Ease subject to the Call of the Chair.

In Legislative Session

The President Pro Tempore called the Senate to order as In Legislative Session at 10:50 o'clock a.m.

House Concurrent Resolution 2 on Second Reading

The President Pro Tempore laid before the Senate on its second reading the following resolution:

H. C. R. No. 2, Inviting the Hon. John Connally, Governor of Texas, to address a joint Session of the House and Senate at 11:00 o'clock a.m. Wednesday, January 16, 1963.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the resolution was considered immediately and was adopted.

Presentation of Guests

Senator Moore by unanimous consent presented the Hon. Jim Sewell and W. A. Steen to the Senate and requested they be granted the privileges of the floor for the day.

House Concurrent Resolution 1 on Second Reading

On motion of Senator Herring and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading the following resolution:

H. C. R. No. 1, In memory of C. Read Granberry.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the names of the President Pro Tempore and the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.

**House Concurrent Resolution 3 on
Second Reading**

On motion of Senator Herring and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading the following resolution:

H. C. R. No. 3, Relative to payment of Inaugural expenses.

The resolution was read.

Senator Herring offered the following amendment to the resolution:

Amend H. C. R. No. 3 by striking out the resolving clause thereof and substituting in lieu thereof the following:

"Resolved, By the House of Representatives of the State of Texas, the Senate Concurring, that the expenses thus incurred shall be paid out of the items of appropriations for consumable supplies and materials, current and recurring operating expenses, capital outlay, and other expenses of the House of Representatives and the Senate upon approval by the Chairman of the Joint Committee and of the respective chairmen of the contingent expense committee of the two Houses of the Texas Legislature."

The amendment was adopted.

The resolution, as amended, was then adopted.

Senate Concurrent Resolution 7

Senator Hazlewood offered the following resolution:

S. C. R. No. 7, Recommending to the President of the United States that the Alibates Flint Quarries be designated a Natural Park.

Whereas, The Alibates Flint Quarries of Potter County, Texas, are outstanding in their interpretation of North American Prehistory; and

Whereas, The materials removed from these quarries were used by Prehistoric man in the making of chipped flint instruments over a period of more than 10,000 years; and

Whereas, The area is to be acquired in the only area in the State of Texas where an advanced Prehistoric Sedentary Culture constructed pueblos; and

Whereas, This Prehistoric Sedentary Culture conducted extensive trade, hundreds of miles radially, with this material; and

Whereas, The area is to be acquired in the immediate future by the Canadian River Municipal Water Authority as a Recreation Area; and

Whereas, The imminent acquisition of this recreation area by the Canadian River Municipal Water Authority will expose an irreplaceable prehistoric site to destruction by carelessness and indifference; and

Whereas, Many authorities of the Archaeological and Geological Sciences concur that this site be preserved for future generations; now, therefore, be it

Resolved, That the Senate of the State of Texas, the House of Representatives concurring, recommend to the President of the United States that this area be designated a National Monument or a National Park.

The resolution was read.

On motion of Senator Hazlewood and by unanimous consent the resolution was considered immediately and was adopted.

**Designation of Presiding Officer for
Joint Session**

The President Pro Tempore announced that Senator Owen was designated to act as Presiding Officer for the Joint Session to canvass the votes for the Governor and the Lieutenant Governor.

Presentation of Guest

Senator Parkhouse by unanimous consent presented former Senator Jep S. Fuller to the Members of the Senate.

Motion to Adjourn

On motion of Senator Creighton the Senate agreed to stand adjourned at the conclusion of the Joint Session until 10:15 a.m. tomorrow.

Joint Session

(To Count Votes for Governor and Lieutenant Governor)

The President Pro Tempore announced that the hour for the Joint Session of the two Houses to count the votes for Governor and Lieutenant Governor pursuant to the provisions of S. C. R. No. 1 had arrived.

Accordingly, the Senators present accompanied by the Secretary of the

Senate and the Sergeant-at-Arms, repaired to the Hall of the House of Representatives at 10:55 o'clock a.m.

The Senators were announced at the Hall of the House and were admitted and escorted to seats already prepared for them along the aisle.

The Presiding Officer (Senator Owen in the Chair) by invitation of the Speaker of the House, occupied a seat on the Speaker's stand.

The Presiding Officer called the Senate to order and announced a quorum of the Senate present.

The Speaker of the House announced the purpose of the Joint Session.

A quorum of the House was announced present.

Speaker Tunnell then requested the tellers appointed pursuant to the provisions of S. C. R. No. 1 to come forward and receive the returns of votes cast for Governor and Lieutenant Governor at the General Election, which returns had been duly delivered by the Secretary of State to the Speaker of the House of Representatives.

Senators Moore, Hall, Blanchard and Watson, on the part of the Senate, and Representatives Cowles, Neimeyer, Ligarde, Harding and Klager, on the part of the House, then received the returns and proceeded to count the votes cast for Governor and Lieutenant Governor at the last General Election.

At Ease

At 11:08 o'clock a.m. the Speaker announced that the Joint Session would stand At Ease pending the counting of the votes.

In Legislative Session

The Speaker of the House called the Joint Session to order at 12:20 o'clock p.m.

(Senator Owen in the Chair.)

When the count was completed, the tellers presented the following report, which was read to the Joint Session:

Austin, Texas,
January 14, 1963.

Honorable Martin Dies, Jr., President
Pro Tempore of the Senate

Honorable Byron Tunnell, Speaker of the House of Representatives

Sirs: We, the Joint Committee of Tellers appointed by the presiding officers of the Senate and House of Representatives to canvass the votes cast at the last general election held in the State of Texas on November 6, 1962, for Governor and Lieutenant Governor of the State of Texas as shown by returns delivered to us by the Secretary of State, beg leave to report that we have performed that duty and that the result of our canvass is as follows:

There were votes cast for Governor as follows:

John Connally, Democratic Party, 847,038.

Jack Cox, Republican Party, 715,025.

Others, Carswell, 7,135.

There were votes cast for Lieutenant Governor as follows:

Preston Smith, Democratic Party, 929,336.

O. W. "Bill" Hayes, Republican Party, 610,049.

Respectfully submitted,

MOORE
WATSON
BLANCHARD
HALL
For the Senate

COWLES
LIGARDE
HARDING
KLAGER
NIEMEYER

For the House of Representatives

Whereupon the Speaker of the House made the following announcement:

Honorable John Connally, having received the highest number of votes cast, I, by virtue of the authority vested in me by the Constitution and the laws of the State of Texas, declare him duly, legally and constitutionally elected Governor of the State of Texas for the ensuing term of two years; and Honorable Preston Smith, having received the highest number of votes cast, I, by virtue of the authority vested in me by the Constitution and the laws of the State of Texas, declare him duly, legally and constitutionally elected Lieutenant

Governor of the State of Texas for the ensuing term of two years.

Welcome Resolutions

S. R. No. 9—By Senators Aikin and Calhoun: Extending welcome to Mrs. L. G. Farris and Mrs. R. H. Laschinger of Gilmer, Texas.

S. R. No. 10—By Senator Aikin: Extending welcome to Mr. and Mrs. Walter W. Bassano of Paris, Texas.

S. R. No. 11—By Senator Moffett: Extending welcome to Mr. Frank Wood of Wichita Falls, Texas.

Adjournment

The Presiding Officer (Senator Owen in the Chair) announced at the conclusion of the Joint Session that the Senate was adjourned at 12:23 o'clock p.m. until 10:15 o'clock a.m. tomorrow on motion previously adopted by the Senate.

FIFTH DAY

(Tuesday, January 15, 1963)

The Senate met at 10:15 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Moffett
Bates	Moore
Calhoun	Owen
Colson	Parkhouse
Creighton	Patman
Crumpp	Reagan
Dies	Richter
Hall	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word
Krueger	

Absent—Excused

Blanchard	Hardeman
Cole	Ratliff

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of

the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Cole was granted leave of absence for today on account of important business on motion of Senator Patman.

Senator Blanchard was granted leave of absence for today on account of important business on motion of Senator Crump.

Senator Hardeman was granted leave of absence for today on account of important business on motion of Senator Aikin.

Senator Ratliff was granted leave of absence for today on account of important business on motion of Senator Aikin.

Morning Call Dispensed With

On motion of Senator Kazen and by unanimous consent the Morning Call was dispensed with.

Senate Resolution 13

Senator Patman offered the following resolution:

Whereas, C. O'Hara Chandler of Victoria, a distinguished leader in the field of education, has been elected president of the Texas State Teachers Association, an organization of 84,000 active members; and

Whereas, From the time Mr. Chandler first assumed a teaching post in East Texas, some 32 years ago, his service to the people of Texas has been noted for the thoroughness and patience with which he attended his work, the good citizenship which he taught his students and his dedication to public service; and

Whereas, it is the desire of the Senate to congratulate and honor C. O'Hara Chandler at this time, and wish him success in the future.

Now, therefore, be it resolved, That the Senate of the State of Texas, does hereby congratulate C. O'Hara Chandler on his new honor and distinction as President of the Texas State Teachers Association, and express to him its appreciation for the great public service he has rendered in the past.

The resolution was read and was adopted.